

THE STATE OF TEXAS
)
COUNTY OF DALLAS) AFFIANT FOR ARREST WARRANT OR CAPIAS

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant who, after being duly sworn by me, on oath stated:

My name is E. H. Duran, and I am a peace officer of the State of Texas.

I have good reason to believe and do believe that on or about the 13th day of March, 2003, one ESCAMILLA JR., JOSE ALFONSO did then and therein the County of Dallas, Texas, commit the offense of D.W.L.S.DEP.T. SUSP. M/B, a misdemeanor.

My belief is based upon the following facts and information:

B. W. Thornton, Trooper, Texas Department of Public Safety, a credible person, who participated in the investigation of the alleged offense, furnished to me, the affiant, and who knows or has reason to believe that the following facts are true and correct, on File, THE FOLLOWING INFORMATION:

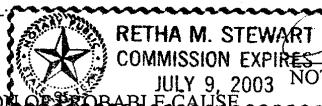
(PLEASE SEE THE BACK OF SHEET)

I believe this information furnished by a fellow Peace Officer is credible.

WHEREFORE, Affiant requests that an arrest warrant or Capias be issued for the above-accused individual in accordance with the law.

E. H. Duran
AFFIANT

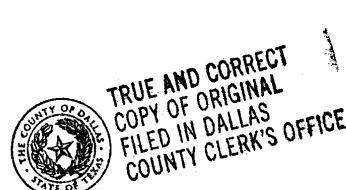
SUBSCRIBED AND SWORN TO BEFORE ME on this 14 DAY OF March, 2003



MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the 01 day of April, 2003, the undersigned Magistrate hereby acknowledges that he has examined the above affidavit and has determined that probable cause exists for the issuance of an arrest warrant for the individual accused herein.

Albert B. Greene
MAGISTRATE, IN AND FOR DALLAS COUNTY, TEXAS



15. ESCAMILLA also had a mobile cell phone in his possession, but he never called #911. He also was not robbed of his money or other valuables.
16. After running a routine check on ESCAMILLA'S Texas drivers license #19405037, it was discovered that they were under Dept. Susp. Effective 10-12-02 due to expire on 04-10-03.
17. ESCAMILLA was then taken to Lew Sterritt. At Lew Sterritt ESCAMILLA was offered a breath test and took it with results of 0.127 and 0.117.
18. ESCAMILLA was then turned over to Dallas Sheriff Office for D.W.I. 1st M/B and D.W.L.S. Dept. Susp.M/B.
19. The charge of D.W.L.S. M/B will be handled under M03-21103.

ARRESTING OFFICER

B. W. THORNTON, #7062
Texas Highway Patrol
4001 President George Bush Turnpike
Plano, TX 75093

VEHICLE: 1998 White Mercedes 4 door Texas registration ZHV 69J

VEHICLE CONDITION: Severe front-end damage also left back quarter.

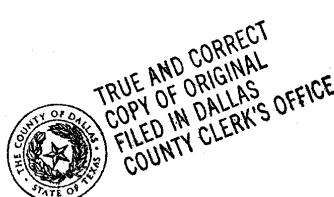
VEHICLE DISPOSITION: Towed to Jordan's By Jordan's

<u>WITNESS:</u> Officer Robert Donahue, #245 801 Conover Dr. Grand Prairie, TX 75051 (972) 237-8790	Officer S.G. Richardson, #2994 1400 S Lamar Dallas, TX (214) 671-4242
---------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------

Security Officer
Daniel Penderson
Dallas Baptist University
(214) 333-5305

WEATHER: Cloudy, Warm

ROAD CONDITION: Good, Concrete



SENTENCE
90 DAYS TO H JAIL

APPEAL _____

SPECIAL CONDITION

MNT _____

\$ 0.00 FINE \$ 221.00 COST SENTENCE TO BEGIN 052303
ADDITIONAL CREDIT FOR TIME SERVED
CI, B.T. 3-13-03, 5-23-03 TO 6-4-03, COST NOT CC
REMARKS DEFENDANT WAS GIVEN ALTERNATIVE MEANS TO PAY FINE AND COST.
DEFENDANT ELECTED TO SERVE OUT FINE AND COST IN JAIL.
FINE AND COST ARE TO BE SERVED CONSECUTIVELY WITH JAIL SENTENCE.

COMMITMENT

NO. M-0372081-M
COURT OF CRIMINAL APPEALS 2
DALLAS COUNTY, TEXAS

JUN -4 2003

THE STATE OF TEXAS VS. JOSE ALFONZO ESCAMILLA

TO ANY SHERIFF OR ANY CONSTABLE OF THE STATE OF TEXAS - GREETING

YOU ARE HEREBY COMMANDED, THAT YOU TAKE INTO CUSTODY, AND COMMIT TO THE JAIL OF YOUR COUNTY JOSE ALFONZO ESCAMILLA WHO WAS ON 06/04/2003, CONVICTED IN THE COURT OF CRIMINAL APPEALS 2 OF DALLAS COUNTY, TEXAS, OF ASSAULT AND HIS PUNISHMENT FIXED AT - 0 - , FINE AND 90 DAYS IMPRISON IMPRISONMENT, AND JUDGMENT WAS ENTERED THEREFOR, TOGETHER WITH ALL COSTS OF SAID PROSECUTION AMOUNTING TO A FURTHER SUM OF \$221.00 , AND YOU WILL SAFELY KEEP UNTIL SUCH TIME AND ALL COSTS HEREIN ARE PAID AND SAID TERM OF IMPRISONMENT HAS EXPIRED, OR UNTIL HE IS OTHERWISE DISCHARGED.

WITNESS MY OFFICIAL SIGNATURE, AND SEAL OF OFFICE AT DALLAS, DALLAS COUNTY, TEXAS, AND ISSUED THE 04TH DAY OF JUNE, 2003

CYNTHIA FIGUEROA CALHOUN
COURT OF CRIMINAL APPEALS 2

JUDGE

BY  , DEPUTY



FEES

FINE - 0 -
COST \$221.00
TOTAL \$221.00 SENTENCE TO BEGIN 05/23/03

IMPRISONMENT 90 DAYS IMPRISONMENT

CI, B.T. 3-13-03, 5-23-03 TO 6-4-03, COST NOT CC

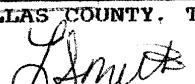
SHERIFF'S RETURN

CAME TO HAND THIS 23 DAY OF May A.D. 2003, AND EXECUTED BY COLLECTING FROM THE DEFENDANT THE SUM OF \$ 0 AND CONFINING HIM TO JAIL FOR 31 DAYS.

DEFENDANT RELEASED THIS THE 22 DAY OF June A.D. 2003

60 DAYS GOOD TIME
DAYS CREDIT
DAYS I/P
2 DAYS FOR FCC


J. C. BUNTLEY
DALLAS
SHERIFF, DALLAS COUNTY, TEXAS

BY 
DEPUTY

CAUSE NO. MA0372081m

THE STATE OF TEXAS
VS.

ESCAMILLA, JOSE ALFONZO

IN THE COUNTY CRIMINAL COURT
OF APPEALS #2
OF
DALLAS COUNTY, TEXASJUDGEMENT ON NEGOTIATED PLEA OF GUILTY OR NOLO CONTENDERE
BEFORE: XXX PRESIDING JUDGE / MAGISTRATE
NO COMMUNITY SUPERVISIONDATE OF JUDGEMENT JUNE 4, 2003 TERM APRIL 20 03JUDGE PRESIDING: BURSON MAGISTRATE:ATTORNEY FOR STATE: MARTIN ATTORNEY FOR DEFENDANT: BARBEREOFFENSE CONVICTED OF: ASSAULTCLASS MISDEMEANOR A DATE OFFENSE COMMITTED: 1-17-03CHARGING INSTRUMENT: INFORMATION / INDICTMENT PLEA: GUILTY / NOLO CONTENDEREFINDING OF COURT: GUILTYTERMS OF NEGOTIATED 90 days/0 fine PLEA BARGAIN AGREEMENT
PLEA BARGAIN: (IN DETAIL) FOLLOWED: YES / NODATE SENTENCE IMPOSED JUNE 4, 2003 COST: YES / NO

PUNISHMENT AND PLACE OF CONFINEMENT:

90 days of CONFINEMENT IN THE DALLAS COUNTY JAIL AND A FINE OF \$ 10
DATE TO COMMENCE: 6-4-03CREDIT FOR TIME SERVED: 6-4-03 FINE PROBATED: YES / NOTX.C.C.P. COUNSELING FEE, IF APPLICABLE: \$ NOT TO EXCEED \$500.00RESTITUTION / REPARATION: YES / NO IF YES, NAME OF VICTIM:
ADDRESS OF VICTIM OR AGENCY TO COLLECT PAYMENTS:AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: YES / NOCASE TO RUN: CONCURRENT / CONCURRENT WITH ALL OTHER CASES

On this day, set forth above, the above styled and numbered cause was called for trial. The State of Texas and Defendant appeared by and through the above named attorneys and announced ready for trial. Defendant appeared in person in open court. Where Defendant was not represented by counsel, Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel.

Having been admonished of the right to a jury trial, the Defendant waived the right to a jury trial in writing and in open court with the consent and approval of the Judge or Magistrate, the Defendant's attorney, if any, and the prosecuting attorney named above. The consent and approval of the waiver of jury trial was entered of record in the minutes of the court before the Defendant entered this plea.

The Defendant entered the above plea to the charge contained in the information/indictment. If it is shown above that there was a plea bargain agreement, the Defendant was informed as to whether or not the Judge or Magistrate would follow or reject such agreement. It plainly appears to the Judge / Magistrate that Defendant is mentally competent and said plea free and voluntary, the said plea is accepted by the Judge / Magistrate and is now entered of record as the plea of the Defendant. After hearing evidence offered, the Judge / Magistrate finds the Defendant guilty of the offense as shown above and that the offense was committed by said Defendant on the date set forth above.

It is, therefore, ordered and decreed by the Judge or considered and recommended by the Magistrate that said Defendant be adjudged guilty of the offense as shown above on the date as shown above, and that said defendant is sentenced to a term of imprisonment or fine or both, as set out above, and shall be confined for the above named term in accordance with the provision by the court appointed attorney or public defender in this cause, if any, and restitution or reparation, if any, as set forth above. The Judge / Magistrate finds that the Defendant has the financial resources to enable the Defendant to offset said costs in the amount ordered.

If the Magistrate has heard this plea, the Judge has reviewed the findings, actions, and recommendations of the Magistrate in this cause, finds that the terms of the negotiated plea agreement in this cause have been followed and hereby adopts all findings, actions and recommendations of the Magistrate in this cause. The Defendant is hereby adjudged guilty of the offense as set out above and ordered punished in accordance with the recommendations of the Magistrate. The judgment as shown above is hereby in all things approved and confirmed, and is hereby ordered into effect. The Court approved the finding of the Magistrate that the Defendant has the financial resources to enable the Defendant to offset any fines, court costs, expenses of legal services and restitution or in the amount ordered.

Attached to this judgment and incorporated by reference, are the terms of any fee payment pursuant to the Texas Code of Criminal Procedure, if applicable.

Following the disposition of this cause, the Defendant's fingerprint was placed upon a Certificate of Fingerprint. Said certificate is attached hereto and is incorporated by reference as a part of this judgment.

SIGNED AND ENTERED THIS 4 DAY OF JUNE, 20 03.JUDGE, COUNTY CRIMINAL COURT
DALLAS COUNTY, TEXAS

NOTICE OF DISPOSITION
IN COURT OF CRIMINAL APPEALS 2
DALLAS COUNTY, TEXAS

SEQ 0004

CASE NUMBER MA0372081M
OFFENSE ASSAULT
REDUCED CHARGE

DATE 060403
TIME 124557

THE STATE OF TEXAS VS.
DEF ESCAMILLA JOSE ALFONZO
BNO 03037986
DISPOSED BY PGBC

RACE W SEX M DOB 090378

SENTENCE
90 DAYS TO H JAIL

APPEAL _____

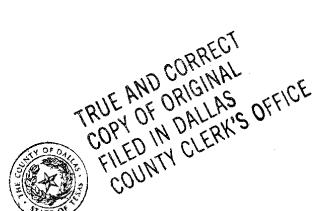
SPECIAL CONDITION

MNT _____

\$ 0.00 FINE \$ 221.00 COST SENTENCE TO BEGIN 052303
ADDITIONAL CREDIT FOR TIME SERVED
CI, B.T.3-13-03, 5-23-03_TO_6-4-03, COST_NOT_CC
REMARKS DEFENDANT WAS GIVEN ALTERNATIVE MEANS TO PAY FINE AND COST.
DEFENDANT ELECTED TO SERVE OUT FINE AND COST IN JAIL.
FINE AND COST ARE TO BE SERVED CONSECUTIVELY WITH JAIL SENTENCE.

CYNTHIA FIGUEROA CALHOUN
COUNTY CLERK
DALLAS COUNTY, TEXAS
BY SAMFORD J
DEPUTY CLERK

RELEASE INFORMATION	
<input type="checkbox"/>	REMARKS _____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____
<input type="checkbox"/>	_____



CAUSE NO. MA03-72081

THE STATE OF TEXAS

vs.

José A. Escamilla

IN THE COUNTY CRIMINAL

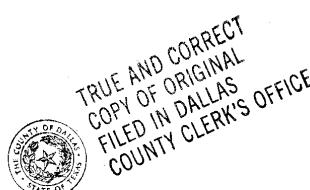
COURT 14th OF

DALLAS COUNTY, TEXAS

CERTIFICATE OF THUMB PRINT



Right Thumb*



TRUE AND CORRECT
COPY OF ORIGINAL
FILED IN DALLAS
COUNTY CLERK'S OFFICE

Defendant's

DR

2003 JUN -4 AM:53
DALLAS COUNTY, TEXAS
FILED IN CLERK'S OFFICE
COURT OF CRIMINAL
TRAIL

This is to certify that the fingerprints above are the above-named Defendant's fingerprints taken at the time of the disposition of the above styled and numbered cause.

Did in Court this 4th day of June, 20 03

J.R. Garner 315
Baliff/Deputy Sheriff

*Indicate here if print other than defendant's right thumb print is placed above:

 left thumb print

 other, please specify

 left/right index finger

FILED
CYNTHIA FISHER CALHOUN
CLERK OF THE COURT
THE STATE OF TEXAS

IN THE COUNTY CRIMINAL COURT

THE STATE OF TEXAS

VS.

2003 JUN -4 AM 11:53

C AFF 2 OF

Jose A. Escanilla

DALLAS COUNTY, TEXAS

COURT OF APPEALS NO. 2
OF DALLAS COUNTY, TEXASCOURT'S ADMONITION OF STATUTORY AND CONSTITUTIONAL
RIGHTS AND DEFENDANT'S ACKNOWLEDGMENT

The Judge hereby admonishes you of the following Statutory and Constitutional Rights prior to your entry of a plea of guilty/nolo contendere in this case pursuant to the Texas Code of Criminal Procedure and the Constitutions of the State of Texas and the United States of America:

- 1) You are charged with the offense of Assault and the maximum range of punishment is: a fine not to exceed \$500 / \$2000 / \$4000, confinement in jail for a term not to exceed 180 days / one year; or both such fine and imprisonment.
- 2) Any recommendation as to what your punishment should be by the prosecuting attorney is not binding on the Court.
- 3) If you are not a citizen of the United States of America, a plea of guilty or nolo contendere before me for the offense charged may result in your deportation, the exclusion from admission to this country, or a denial of naturalization under Federal law.
- 4) If you have a Court appointed attorney, you have a right to have ten days from the date your attorney was appointed to prepare for trial.
- 5) If you receive deferred adjudication and later it is found that you have violated your probation, you may then be found guilty and the Judge can then set your punishment anywhere within the range provided by law.

PLEA RECOMMENDATION

M 90 days in jail

[] Restitution in the amount of

[] \$ _____ fine plus costs of court

\$ _____ to:

[] Jail term probated for _____ months

[] Deferred adjudication for _____ months

[] Other:  TRUE AND CORRECT
COPY OF ORIGINAL
FILED IN DALLAS
COUNTY CLERK'S OFFICE

Open for less time

PLEA OF GUILTY / NOLO CONTENDERE

Comes now the Defendant herein, in person and by and through Defendant's attorney, if any, having waived the right to jury trial with the approval of the State and Judge, and states that Defendant understands the charge, the penalty range for the offense charged and waives arraignment and reading of the Information and indictment and represents to the Judge that the Defendant desires to make immediate disposition of this case by here and now entering a plea of guilty/nolo contendere. The Defendant waives the right to a jury trial, the confrontation of witnesses, the right to present witnesses in defendant's behalf and submits this case to the Judge on all issues of law and fact.

I understand that under Federal Law if I am not a citizen of the United States of America, a plea of guilty/nolo contendere for the offense charged may result in my deportation, exclusion of my admission to this country, or the denial of naturalization.

Wherefore, the Defendant asks the Judge to proceed immediately on the filing hereof, to accept this plea and waivers, and to enter judgment and sentence herein in the manner provided by law. Defendant requests that a presentence report (not) be made. If a presentence report is made, the Defendant hereby authorizes the Judge to inspect the report.

I understand that I have a right to appeal this case to the Court of Appeals. If the trial court follows the terms of the State's recommendation as to sentencing, then after consulting with my attorney, do expressly, voluntarily, knowingly, and intelligently give up and waive my right to appeal this case.

I have read the above and foregoing admonitions by the Judge regarding my rights. I understand the admonitions, and I understand and am aware of the consequences of my plea. Furthermore, my lawyer, if any, has explained to me all the admonitions given by the Judge in this document.

X Jose A. Escanilla
Defendant

Attorney for Defendant & Bar Card Number 00791605

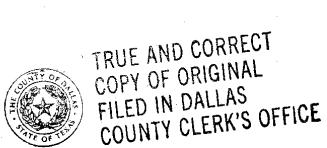
The State hereby consents to and approves the Defendant's waiver of jury and agrees to the above plea recommendation.

Assistant District Attorney & Bar Card Number

Markie 24037141

Filed: The admonition and waivers, filed with the clerk and presented to the Judge are considered, approved and granted this 4th day of June, 2003. The Judge agrees that a presentence report pursuant to the Texas Code of Criminal Procedure not be made.

Judge



Cause No. M 2063 - 72071

THE STATE OF TEXAS

VS

Jose A. Escamilla

§
§
§
§

IN THE COUNTY

CRIMINAL COURT NO. C478
DALLAS COUNTY, TEXAS

TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL*

I, judge of the trial court, certify this criminal case:

- is not a plea-bargain case, and the defendant has the right of appeal, [or]
- is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial, and not withdrawn or waived, and the defendant has the right of appeal, [or]
- is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal, [or]
- is a plea-bargain case, and the defendant has NO right of appeal, [or]
- the defendant has waived the right of appeal.

Judge

6-4-03
Date Signed

I have received a copy of this certification:

Defendant (if not represented by counsel)
Mailing Address:

Telephone #:
Fax # (if any)

Defendant's Counsel Gutierrez Barbara
State Bar No.: 01697425

Mailing Address: 8344 E. R. L. Thornton Frey
Ste 404 DLS TX 75228
Telephone #: 214/324-4417
Fax # (if any): 214 324-4446

*A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case ---- that is, a case in which a defendant's plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant ---- a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal. TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2).

XJ156 NAME ENTERED ESCA LA JOSE

NAME TYPE DF



TRUE AND CORRECT
COPY OF ORIGINAL
FILED IN DALLAS
COUNTY CLERK'S OFFICE

No. 03-72081

STATE OF TEXAS

VS.

Escamilla, Jose

IN THE COUNTY CRIMINAL

COURT OF APPEALS 2

DALLAS COUNTY, TEXAS

STATE'S SENTENCE RECOMMENDATION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES THE STATE OF TEXAS, by and through Dallas County Criminal District Attorney BILL HILL, in the above styled and numbered cause and on this the 4 day of June, 2003, makes this recommendation of punishment conditioned on the defendant having no criminal record or pending cases other than those listed below. This is not an announcement of readiness for trial.

Assault

Michael Moss
Assistant District Attorney
State Bar Card No. 24037146

RECOMMENDATION*:120
180 days

<input checked="" type="checkbox"/> Judge's Cond.	Life Skills	<input type="checkbox"/> Stay away / No Contact with CW
<input checked="" type="checkbox"/> Waive right to appeal	Pscy. Eval	<input type="checkbox"/> B.I.P.P.
<input type="checkbox"/> Days as a cond.	G.E.D./ High Sch. Dipl.	<input type="checkbox"/> FV VIP
<input type="checkbox"/> Repeat Offender	Forfeit. Weapon	<input type="checkbox"/> Affirmative Fdg. FV
<input type="checkbox"/> V.I.P.	WEST Program	<input type="checkbox"/> ELM
<input type="checkbox"/> T.A.I.P. / C.A.T.S.	Drug Evaluation	<input type="checkbox"/> Fam. Ct. Notification
<input type="checkbox"/> Interlock device	Urinalysis testing	<input type="checkbox"/> CAIP
<input type="checkbox"/> Alcohol Evaluation	Register as Sex Offender	<input type="checkbox"/> Child support
<input type="checkbox"/> Proper License	Sex Offender class	<input type="checkbox"/> \$ <u> </u> /month
<input type="checkbox"/> Clearance letter	D.N.A. sample	<input type="checkbox"/> RESTITUTION OF
<input type="checkbox"/> Valid Insurance	Anger Counseling	<input type="checkbox"/> \$ <u> </u>
<input type="checkbox"/> Anti-Theft program		

PRIOR RECORD AND PENDING CASESSee attached

* If Plead by 3 month from the above date. This recommendation can be withdrawn if the defendant sets the case for trial.
As a condition of this plea bargain, the Defendant will submit to fingerprinting by the Clerk of the Court.

TRUE AND CORRECT
COPY OF ORIGINAL
FILED IN DALLAS
COUNTY CLERK'S OFFICE

ARRANT OF ARREST AND DETENTION
DALLAS COUNTY, TEXAS

Dallas Co	MA0372081	#: 40625M	<input type="checkbox"/> Felony	DALLAS COUNTY CLERK'S OFFICE
ID#:	ESCAMILLA JOSE ALFONZO	#:	<input checked="" type="checkbox"/> Misdemeanor	APPEAL COURT
Warrant	ASSAULT	#: Assault	TPC 22.01 M/A	TEXAS
Suspect	NA		Bail Amount \$ 100	4/24/03

In the name of the State of Texas to any Sheriff or other Peace Officer of the state of Texas
Greetings:

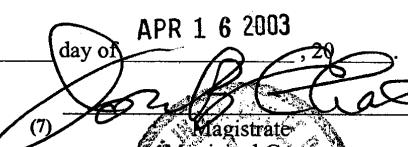
You are here by commanded to take the body of:
(4) Escamilla, Jose Alfonzo

hereinafter called the accused, and him safely keep so that he may be dealt with according to law, and to hold the accused to answer to the State of Texas for an offense against the laws of the said State, namely:

(5) Assault

TPC 22.01 M/A

of which SAID offense he is accused by written complain, made under oath that has been presented to me and that is by this reference incorporated herein for all purposes.

(6) Witness my signature this APR 16 2003 day of APR 16 2003
 (7) 
 Magistrate
Municipal Court
City of Dallas, Texas

ADMINISTRATIVE DATA
ALL BLANKS MUST BE COMPLETED OR INDICATE "UNKNOWN"

(8) State of Texas vs.	Escamilla, Jose Alfonzo 9-3-78	(9) Arrest Status:	At Large
(10) Race: L	(11) Sex: M	(12) DOB: 03/09/78	(13) Ht: 507 (14) Wt: 180 (15) Hair: BLA (16) Eyes: BRO
(17) Residence Address:	2426 ROCHELLE IRVING, TX - 75062 RA		
(20) Business Address:	(21) Business Name:		
(22) Complainant: JOSEPH BURNS	(23) Date of Offense: 011703		
Arrest Warrant Issued to: D.P.D/D.S.O	(18) Driver's License #:		
		(19) State:	

FEES (25)

ARREST-----	\$4.00
COMMITMENT-----	\$2.00
RELEASE-----	\$2.00
APPROVE BOND-----	\$6.00
MILEAGE-----	\$
OTHER-----	\$
TOTAL-----	\$

I.D.	DATE	BY
Assign	5/16/03	
WRAW	5/16/03	
TCIC	5/16/03	
NCIC		
Rgn		

RETURN (26)

CAME TO HAND THE 31 day of Apr, A.D. 20 03, and executed the 19 day of May, A.D. 20 03, by arresting and detaining above named and accused and Placed in custody.

BY: RLC 2/23

CAUSE NO. M-0372081-M

OFFENSE ASSAULT

THE STATE OF TEXAS

()

COUNTY CRIMINAL COURT 9

VS.

()

JOSE ALFONZO ESCAMILLA

()

DALLAS COUNTY, TEXAS

ORDER OF TRANSFER

ON THIS THE 20TH DAY OF MAY, 2003, IT IS THE ORDER OF THE JUDGE
OF THE COUNTY CRIMINAL COURT 9 OF DALLAS COUNTY, TEXAS, THAT THE ABOVE
STYLED AND NUMBERED CAUSE BE AND THE SAME IS THEREBY TRANSFERRED TO THE
COURT OF CRIMINAL APPEALS 2 OF DALLAS COUNTY, TEXAS, FOR TRIAL AND FINAL
ADJUDICATION.


JUDGE

ORDER OF RECEIVING

ON THIS THE 20TH DAY OF MAY, 2003, IT IS THE ORDER OF THE JUDGE
OF THE COURT OF CRIMINAL APPEALS 2 OF DALLAS COUNTY, TEXAS, THAT THE
ABOVE STYLED AND NUMBERED CAUSE BE AND THE SAME IS HEREBY RECEIVED FROM THE
COUNTY CRIMINAL COURT 9 OF DALLAS COUNTY, TEXAS, FOR TRIAL AND
FINAL ADJUDICATION.

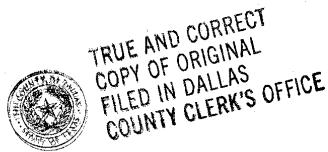

JUDGE

LN	NAME ENTERED ESCA	LA JOSE	NAME	TYPE	DF	
LN	ARC RS	DOB	CASE/BOND	CT	CHARGE	DISP
01	ESCAMILLA JOSE	WM 090378	F-9652623	FI	THEFT 1,500 R & JGSA	
02	ESCAMILLA JOSE ALFONSO	WM 090378	MB0136632	MH	EVADE ARREST/D PGBC	
03	ESCAMILLA JOSE ALFONSO	WM 090378	F-9755456	FI	POSS PROH WEAP DISM	
04	ESCAMILLA JOSE ALFONSO JR	WM 090378	MB0321102	MM	DWI	
05	ESCAMILLA JOSE ALFONSO JR	WM 090378	MB0321103	MM	DWLS/INV	
06	ESCAMILLA JOSE ALFONSO JR	WM 090378	F-0020647	FS	POSS CS INT DE PGJG	
07	ESCAMILLA JOSE ALFONSO JR	WM 090378	MA0321107	MM	UCW HANDGUN	
08	ESCAMILLA JOSE ALFONZO	WM 090378	MA0372081	MM	ASSAULT	TRAN

* * * E N D O F R E C O R D S R E T R I E V E D * * *



LINE NO 01



**WARRANT OF ARREST AND DETENTION
DALLAS COUNTY, TEXAS**

Dallas Cou	M03-72081	Service #: 40625M	<input type="checkbox"/> Felony (1)
ID#:		Arrest #:	<input checked="" type="checkbox"/> Misdemeanor
Warrant Number (2) :		Charge: Assault TPC 22.01 M/A	
Suspect	Escamilla, Jose Alfonzo	Bail Amount \$ (3)	1000.00

In the name of the State of Texas to any Sheriff or other Peace Officer of the state of Texas---
Greetings:

You are here by commanded to take the body of:
(4) Escamilla, Jose Alfonzo

hereinafter called the accused, and him safely keep so that he may be dealt with according to law, and to hold the accused to answer to the State of Texas for an offense against the laws of the said State, namely:

(5) Assault

TPC 22.01 M/A

of which SAID offense he is accused by written complain, made under oath that has been presented to me and that is by this reference incorporated herein for all purposes.

(6) Witness my signature this APR 16 2003 day of April, 2003



ADMINISTRATIVE DATA
ALL BLANKS MUST BE COMPLETED OR INDICATE "UNKNOWN"

(8) State of Texas vs.	Escamilla, Jose Alfonzo	(9) Arrest Status:	At Large				
(10) Race:	L	(11) Sex: M	(12) DOB: 030978	(13) Ht: 507	(14) Wt: 180	(15) Hair: BLA	(16) Eyes: BRO
(17) Residence Address:	2426 ROCHELLE IRVING, TX						
(20) Business Address:	(21) Business Name:						
(22) Complainant:	JOSEPH BURNS (23) Date of Offense: 011703						
Arrest Warrant Issued to:	D.P.D/D.S.O	(18) Driver's License #:	(19) State:				

FEES (25)

ARREST-----	\$4.00
COMMITMENT-----	\$2.00
RELEASE-----	\$2.00
APPROVE BOND-----	\$6.00
MILEAGE-----	\$
OTHER-----	\$
TOTAL-----	\$

RETURN (26)

CAME TO HAND THE _____ day of _____, A.D. 20_____, and executed the _____ day of
A.D. 20_____, by arresting and detaining above named and accused and _____

BY: _____

EC

DEFENDANT Escamilla, Jose Alfonzo W M 03091978 CHARGE ASSAULT
AKA:
Address 2426 Rochelle, Irving, Tx LOCATION UNKNOWN
FILING AGENCY TXDPD0000 DATE FILED April 28, 2003 COURT #9
COMPLAINANT Burns, Joseph MA0372081 VT#:
C/C _____
SERVICE NO. 040625M ARREST NO. _____ I. D. NO. _____

INFORMATION

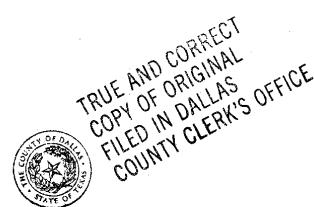
In the Name and by the Authority of the State of Texas.

NOW COMES THE CRIMINAL DISTRICT ATTORNEY of Dallas County, State of Texas, and presents
in and to the County Criminal Court #9 of Dallas County, State aforesaid, that one

Escamilla, Jose Alfonzo

hereinafter styled Defendant, heretofore, on or about the 17th day of January A.D., 2003
in the County of Dallas and State of Texas, did unlawfully

**then and there intentionally and knowingly and recklessly cause bodily injury to
another, namely: JOSEPH BURNS, hereinafter called complainant, by striking
complainant's head with a bottle,**



against the peace and dignity of the state.

DALLAS COUNTY
COUNTY CLERK

2003 APR 29 PM 2:16

Criminal District Attorney of Dallas County, Texas

BLUE

STATE OF TEXAS

AFFADAVIT FOR ARREST WARRANT

COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant who, after being duly sworn by me, on oath stated: My name is P. Elery and I am a peace officer of the City of Dallas, Dallas County, Texas. I, the affiant, have good reason and do believe that on or about the 17TH day of January, 2003, one (name of suspect) Escamilla, Jose Alfonzo did then and there in the City of Dallas, Dallas County, Texas commit the offense of Assault, a violation of Section 22.01 of the TPC, a M/A.

Affiant's belief is based upon the following facts and information which Affiant received from:

Affiant's personal investigation of this alleged offense.

D. McLuckie, a fellow peace officer of the City of Dallas, Dallas County, Texas, who personally participated in the investigation of this alleged offense, providing this information to Affiant, and whose information Affiant believes to be credible.

On January 17, 2003, an Assault M/A occurred when suspect Jose Escamilla threw a beer bottle that hit complainant Joseph Burns on the back of the head causing injury while they were at 15203 Knoll Trail Drive, Dallas, Dallas County, Texas.

Complainant Joseph Burns was at Blackberries and was walking through the club when he noticed suspect Jose Escamilla pointing in his direction. Complainant Burns turned around thinking he was pointing at someone around him but there was no one around him. Complainant Burns turned back around and saw suspect Jose Escamilla still pointing at him and saw suspect Escamilla with a beer bottle in his raised hand. Complainant Burns stated that it appeared that suspect Escamilla was going to throw the bottle so he turned back around to leave the area. As complainant Burns turned he was struck in the back of the head causing a small gash. Complainant Burns and suspect Escamilla were both taken outside where they were interviewed by Officer A. Rios #7292 who was there working an off duty job.

Witness Kenneth Robinson, who is a bouncer at Blackberries, told officer Rios that he personally observed suspect Escamilla throw a beer bottle at complainant Burns that hit the complainant in the back of the head. Witness Robinson told officer Rios that Complainant Burns did not do anything to provoke suspect Escamilla. Suspect Escamilla gave officer Rios his name and then left the club. Complainant Burns and officer Rios both positively identified suspect Escamilla in a 6 photo lineup and the one who caused threw the beer bottle at the complainant. The complainant went to Arlington Memorial Hospital where he 3 staples to close the laceration to his head.



TRUE AND CORRECT
COPY OF ORIGINAL
FILED IN DALLAS
COUNTY CLERK'S OFFICE

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME on the
day of APR 16 2003

WHEREFORE, Affiant requests that an arrest warrant be issued for the
above accused individual in accordance with the law.

Bo B. B. B.
MAGISTRATE, IN AND FOR DALLAS COUNTY, TEXAS

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the APR 16 2003 day of
I hereby acknowledge that I have examined the foregoing affidavit
and have determined that probable cause exists for the issuance of
an arrest warrant for the individual accused therein.

MAGISTRATE, IN AND FOR DALLAS COUNTY, TEXAS